



UNITED STATES PATENT AND TRADEMARK OFFICE

76
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,079	04/13/2001	Songxiang Wei	16440.4011	3866

34313 7590 03/10/2006

ORRICK, HERRINGTON & SUTCLIFFE, LLP
IP PROSECUTION DEPARTMENT
4 PARK PLAZA
SUITE 1600
IRVINE, CA 92614-2558

EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/835,079	Applicant(s) WEI, SONGXIANG	
	Examiner Shawki S. Ismail	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6-10,14-18 and 22-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-10,14-18 and 22-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. This action is responsive to the Amendment received on December 12, 2005. Claims 1, 9, 25, 31, 37, 38 and 40 have been amended. Claims 3-5, 11-13 and 19-21 have been cancelled. Claims 42-45 have been newly added. Claims 1, 2, 6-10, 14-18, and 22-45 are pending examination.

The Old rejection maintained

2. The rejection is respectfully maintained as set forth in the last Office Action mailed on September 8, 2005. Applicants' arguments have been fully considered but they are not persuasive and the old rejection is maintained

Claim Rejections - 35 USC §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1, 2, 6-10, 14-18, and 22-41 are rejected under 35 U.S.C. 102(b) as being anticipated by **Boss et al.**, U.S. Patent No. **5,758,110**.

5. As to claim 1, Boss teaches a method for sharing an application, the method comprising:

determining a position and a size of a shared application window displayed in a presenter screen by monitoring function calls made by the shared application to a Graphics Device Interface (see Fig. 8, col. 7, line 54-col. 8, line 29);

determining a position and a size of a non-shared application window displayed in the presenter screen by monitoring function calls made by the non-shared application (see Fig. 8, col. 7, line 54-col. 8, line 29);

if the non-shared application window overlaps the shared application window in a region of the presenter screen, determining a position and a size of the overlapping region (see Fig. 8, col. 7, line 54-col. 8, line 29);

capturing a screen shot of an image corresponding to the shared application window (see Fig. 8, col. 7, line 54-col. 8, line 29); and

transmitting the screen shot and information for the position and size of the overlapping region to generate a viewer screen (see Fig. 8, col. 7, line 54-col. 8, line 29).

6. As to claim 6, Boss teaches the method of claim 1 further comprising:

determining whether the position or the size of the shared application window has changed by monitoring function calls made by the shared application (see Fig. 8, 9, col. 7, line 54-col. 8, line 29); and

if the position or the size of the shared application window has changed, determining a new position or a new size of the shared application window (see Fig. 8, 9, col. 7, line 54-col. 8, line 29).

7. As to claim 7, Boss teaches the method of claim 1 further comprising:

periodically capturing the image corresponding to the shared application window (col. 2, lines 57-67, col. 5, lines 24-39).

8. As to claim 8, Boss teaches the method of claim 7 further comprising:
periodically transmitting the captured image to a viewer (col. 2, lines 57-67, col. 5, lines 24-39).
9. As to claims 9-10, 14-18, and 22-41, they contain similar limitations as above; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boss et al.**, U.S. Patent No. **5,758,110** and in view of **“Official Notice”**.
11. As to claims 42-43, Boss teaches the invention as claimed above. Boss does not explicitly teach wherein the function calls by the shared application include a GetRandomRgn function. And wherein the GetRandomRgn function comprises a iNum value of 4.

Applicant's disclosure states that Microsoft Corp. first published the GetRandomRgn function prototype with the release of Windows 2000. The publication stated that iNum must be SYSRGN (a predefined value). "Official Notice" is taken that the iNum value of 4 is equal to the SYSRGN and it is the only value documented and defined for this function.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use the value of 4 (SYSRGN) as the iNum value in the GetRandomRgn function in order to accurately determine the visible region of a window.

12. Claim 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boss et al.**, U.S. Patent No. **5,758,110** and in view of Applicant Admitted Prior Art (**AAPA**).

13. As to claim 44, it contains similar limitation as in claim 1 above. Boss teaches sharing graphic application but does not specifically teach OpenGL API based application.

AAPA teach OpenGL API based applications (OpenGL is a well-known application program interface (API) that is used by applications to draw graphics on a presenter's computer screen, page 22 lines 24 – page 23 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boss with the teachings of AAPA in order to facilitate shared applications having the OpenGL APIs at the presenter's client computer.

Art Unit: 2155

14. As to claim 45, It contains similar limitation as in claim 1 above. Boss teaches sharing graphic application but does not specifically teach DirectDraw API based application.

AAPA teach DirectDraw API based applications (DirectDraw is a well-known application program interface (API) that is used by applications to draw graphics on a presenter's computer screen, page 22 lines 24 – page 23 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boss with the teachings of AAPA in order to facilitate shared applications having the DirectDraw APIs at the presenter's client computer.

Response to Arguments

15. Applicant's arguments have been fully considered but they are not deemed to be persuasive. Applicant argues in substance that:

(A) Boss does not teach determining a position and a size of a shared application window displayed in a presenter screen by monitoring function calls made by the shared application to a Graphics Device Interface

Response: The shared application on the host computer is monitored by intercepting tasks (display driver calls) and if the task is part of the shared application it is transmitted and displayed to the client system (col. 2, lines 57-67), therefore, Boss meets the scope of the claimed limitation determining a position and a size of a shared

application window displayed in a presenter screen by monitoring function calls made by the shared application to a Graphics Device Interface.

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

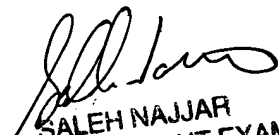
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 2155

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
March 3, 2006



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER